

PTO/SB/28 (8/88)

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231Attorney Docket No.
of Prior Application

0/97293 US

First Named Inventor

TULLY

Examiner Name

F. Krass

Group / Art Unit

1614

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 106,172
filed on June 26, 1998 entitled ORAL LIQUID MEDICINE SOLUTION**NOTES**

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

CH-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____
under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
.....
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

PTO/SB/29 (8/98)

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))		11 -20* =		x \$ _____ =	\$
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(d) or (j))		1 -3** =		x \$ _____ =	
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	690.00
				Total of above Calculations =	690.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Release claims in excess of 20 and over original patent. ** Release independent claims over original patent.				TOTAL =	690.00

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
 b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
 c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02 - 2334:

- a. ☒ Fees required under 37 C.F.R. § 1.16.
 b. ☒ Fees required under 37 C.F.R. § 1.17.
 c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☐ A check in the amount of \$ _____ is enclosed.9. ☐ New Attorney Docket Number, if desired _____

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

10 a. ☒ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b. ☐ Return Receipt Postcard (Should be specifically Requested, See MPEP 503)11. ☐ Other: _____**NOTE:**

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Labelor ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Mary E. Gormley				
	Akzo Nobel Patent Dept.				
Address	1300 Piccard Drive				
	Suite 206				
City	Rockville	State	Maryland	Zip Code	20850
Country	US	Telephone	(301) 948-7400	Fax	(301) 948-9751

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mary E. Gormley
Signature	<i>Mary E. Gormley</i>
Registration No. (Attorney/Agent)	34,409
Date	07 February 2000

PTO/SB/28A (8/98)

Approved for use through 08/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p>If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in item 1.</p>		<p>RECEIPT FOR FACSIMILE TRANSMITTED CPA</p> <p><i>(To accompany a request for a Continued Prosecution Application (CIPA) under 35 C.F.R. § 1.311, filed by facsimile transmission)</i></p>
<p>1. ADDRESS</p>	<p>Applicant's Mailing Address for this receipt <u>must</u> be CLEARLY PRINTED or TYPED in the box below.</p>	
<p>Mary E. Gormley Akzo Nobel Patent Dept. 1300 Piccard Dr. Suite 206 Rockville, Maryland 20850</p>		
<p>NOTE: By this receipt, the PTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the PTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.</p>		
<p>2. APPLICATION IDENTIFICATION: (Provide at least enough information to identify the application)</p>		
<p>a. For prior application</p>		
<p>Application No: 02/106,172.....</p>		
<p>Filing Date: June 26, 1998.....</p>		
<p>Title: Oral Liquid Medicine Solution.....</p>		
<p>Attorney Docket No: Q/97293 US.....</p>		
<p>First Named Inventor: TULLY.....</p>		
<p>b. For instant CPA application</p>		
<p>New Attorney Docket No: (if applicable)</p>		
<p>The PTO date stamp, which appears in the box to the right, is an acknowledgement by the PTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.</p>		<p>(THIS AREA FOR PTO DATE STAMP USE)</p>
<p>PTO HANDLING INSTRUCTIONS: Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the PTO and also include the PTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.</p>		

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



FAX RECEIVED

TELEFAX TRANSMITTAL COVER SHEET

JUL 10 2000

GROUP 1600

Date: 10 July 2000Number of Pages: 10
(Including Cover Sheet)

To:

Ex Kross

Company/Department:

GAU 1614

Fax Number:

703 308 4556

From:

Mary Gormley

Company/Department:

Patent Department
Rockville, Maryland

Fax Number:

(301) 948-9751
(301) 948 - 7400

Subject/Reference:

USSN 09/106,172

Remarks:

CONFIDENTIAL

Please find attached, the CPA papers which were submitted by fax on Feb. 7, 2000, along with our fax Activity Report and our docket book (submission) page for that day. Please call me at 301 948-7400 if you think any problems remain.

Warning:

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02/07/00 12:59 301 948 51 AKZO PATENT USA 001

 *** ACTIVITY REPORT ***

TN #	MODE	CONNECTION TEL	CONNECTION ID	START TIME	USAGE T.	PAGES	RESULT
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9855	AUTO RX G3	31 411854080	ORGANON TEKNIKA	02/07 07:54	02' 58	5	OK
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FEBRUARY

7

MONDAY

2000 38th day - 328 days follow

① Tully (09/106,172): C/A Request Transmittal;
Preliminary Amendment; C/A fax
Receipt; Fee = \$690.00
By fax.

MEG

② Adams (09/142,068): Response to Election of Species.
By fax. No fee.

MEG

③ Baumister (New Appl'n I/99457 US): Transmittal Letter;
Fee Calc. Sheet; Preliminary Amendment;
Spec & Claims (18 pp); Drawing (1 sheet); IDS/1449/Refs;
Fee = \$690. By Exp. Mail.

MEG

EL249703915US

④ Wilderbeek (09/252,625): Response to Final
Rejection; Terminal Disclaimer;
No fee. By fax
Fee = \$110

MEG

⑤ Burnstead (09/126,371): Amendment; CRF Request;
Terminal Disclaimers (2); Fee = \$220.00
By fax.

MEG

AKZO NOBEL

TELEFAX TRANSMITTAL COVER SHEET

Date: 07 February 2000
Number of Pages: 7
(Including Cover Sheet)

To: Ex. F. Kross Company/Department: TC 1614 Fax Number: programmed #29
From: Mary E. Gormley Company/Department: Patent Department Fax Number: (301) 948-9751
Rockville, Maryland
Subject/Reference: USSN CPA of 09/106,172 BY: Tully

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Attached to this cover sheet are the following items:

1. CPA Request Transmitted pages 2
2. Preliminary Amendment pages 3
3. CPA Fax Receipt pages 1
4. _____ pages _____
5. _____ pages _____

IF THE ITEMS LISTED ABOVE ARE NOT RECEIVED OR ARE NOT READABLE, PLEASE CONTACT MARY GORMLEY AT 301-948-7400. THANK YOU.